U.S. Department of Justice

Criminal Division

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Assistant Attorney General

Washington, D.C. 20530

November 16, 1983

The Honorable Louis Stokes
Chairman, Committee on Standards
of Official Conduct
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

As you are aware, November 22, 1983, is the twentieth anniversary of the assassination of President John F. Kennedy. That occasion may result in increased constituent interest in the status of the pending Department of Justice response to the final report of the House of Representatives Select Committee on Assassinations (HSCA). Since citizen inquiries are likely to be directed to you, as the former Chairman of the HSCA, we felt that you might benefit from a status report regarding the Department's handling of this important matter.

The HSCA concluded: "Scientific acoustical evidence establishes a high probability that two gunmen fired at President John F. Kennedy. Other scientific evidence does not preclude the possibility of two gunmen firing at the President." In response to both the Committee's reliance upon acoustical evidence in formulating its final conclusions and the Committee's recommendation that the Department of Justice study the acoustical aspects of this matter, the Department arranged three independent reviews of that acoustical evidence. The National Bureau of Standards, FBI Technical Services Division, and National Academy of Sciences (NAS) completed their analyses of the acoustical evidence in December 1979, November 1980, and May 1982, respectively.

The NAS study, conducted by the Commission on Physical Sciences, Mathematics, and Resources of the National Research Council, was the most thorough effort and the only effort which involved significant review of the actual acoustical evidence -- a Dallas Police dictabelt recording. In order to assure independence from the Department of Justice, the National Science Foundation was asked to oversee the NAS study. The Department was thus able to avoid involvement in decisions regarding the scope of the study and composition of the scientific panel. The NAS panel concluded that "reliable acoustic data do not support a conclusion that there was a second gunman." In fact,

according to the NAS, "the acoustic impulses attributed [by the HSCA experts] to gunshots were recorded about one minute after the President had been shot and the motorcade had been instructed to go to the hospital."

Since the simultaneous release of the NAS study to the Congress, public, and Department of Justice, there has been a surge in unsolicited correspondence from the public regarding this matter. While most of the correspondence merely expresses general opinions regarding the assassination, there have been some specific, detailed submissions to the Department. An example of the latter category is a recently received 16-page "rebuttal" to the NAS study which raises technical scientific objections to both the study methodology and conclusions. While all citizen correspondence sent to the FBI is reviewed by both FBI agents and Criminal Division attorneys, documents such as that "rebuttal" of the NAS report are also submitted to the NAS and FBI Technical Services Division for review.

It is currently envisioned that by the end of this year, the Department will have completed all actions undertaken in response to the HSCA report, including acoustical analyses, FBI investigative activities, and Criminal Division review of all relevant information which has been submitted to the Department since the Committee concluded its work. Early next year, the Attorney General is expected to report to the Speaker of the House of Representatives the results of the Department's review and to make recommendations regarding any further Department of Justice activity in this matter. Though the Department had intended to issue its final report shortly after the completion of the NAS analysis, we believe that the delay in concluding this review is appropriate, to assure consideration of the views and recommendations of the numerous interested citizens who have been writing to the Department.

Since the departure of Robert L. Keuch, former Special Counsel to the Attorney General for this matter, the Department's response to the HSCA report is being coordinated by my office. Please do not hesitate to contact this office if you desire any additional information.

Sincerely,

Stephen S. Trott
Assistant Attorney General
Criminal Division

by: Mark M. Richard
Deputy Assistant Attorney General
Criminal Division

bc: Congressman Green